ufee (refund) [handwritten]

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Francischelli, *et al.*

Examiner: Vrettakos, Peter J.
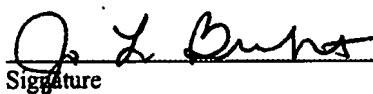
Serial No.: 10/657,987

Group Art Unit: 3739

Filing Date: September 9, 2003

Docket No.: P-10081.03

Title: ABLATION SYSTEM AND METHOD OF USE

> **CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8:** I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on this _____ day of November, 2006.
>
> _[signature]_
> Signature
> Jo L. Brecht
> Printed Name

REQUEST TO REMOVE THE "ABANDONED" STATUS OF THIS APPLICATION OR IN THE ALTERNATIVE
PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)

Attention: Office of Petitions
MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A notice of abandonment for the above-identified case was mailed 2/27/06. Applicants respectfully submit that the notice of abandonment was clearly in error. A response to the notice was mailed on March 27, 2006. To date, applicants have not received a response from the PTO. A check of the public PAIR system reveals that the status remains "Abandoned".

Applicants respectfully submit this is clearly in error. However, solely in an effort to expedite prosecution, applicants are willing to petition the PTO for an unintentional abandonment of the application. Applicants respectfully submit that the "status" of

abandonment is clearly in error and should be withdrawn without the need to file a peteition for unintentional abandonment, however, in the alternative, applicants hereby petition for revival of this application.

The entire delay in filing the required reply from the due date for the required reply until the filing of this Petition under 37 C.F.R. § 1.137(b) was unintentional.
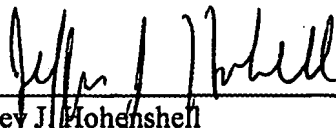
This Petition is accompanied by the following items:

1.   A copy of the Response to Notice of Abandonment filed on March 27, 2006;

2.   A copy of the date stamped postcard submitted with the Response to Notice of Abandonment filed on March 27, 2006;

3.   A copy of the Amendment in response to the Office Action dated August 11, 2005 and accompanying Request for Extension of Time mailed February 9, 2006; and

4.   A copy of the date stamped postcard submitted with the Amendment in response to the Office Action mailed February 9, 2006.

If required, please charge the fee of $1,500.00 due under 37 C.F.R. § 1.17(m), and any additional required fees, or credit any overpayment to Deposit Account No. 13-2546.

Respectfully submitted,
David E. Francischelli, *et al.*

Date: November 16, 2006   By

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REQUEST FOR PATENT FEE REFUND

1 Date of Request:	07/24/07	2 Serial/Patent #	10/657,987

3 Please refund the following fee(s):	4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
Filing			$
Amendment			$
Extension of Time			$
Notice of Appeal/Appeal			$
X Petition	WFEE	11/20/06	$ 1,500.00
Issue			$
Cert of Correction/Terminal Disc.			$
Maintenance			$
Assignment			$
Other			$

7 TOTAL AMOUNT OF REFUND	$ 1,500.00

8 TO BE REFUNDED BY:

	Treasury Check
X	Credit Deposit A/C #:

9 | 1 | 3 | -- | 2 | 5 | 4 | 6 |

10 REASON:

	Overpayment
	Duplicate Payment
X	No Fee Due (Explanation):

Response timely filed.

11 REFUND REQUESTED BY:

TYPED/PRINTED NAME:	Andrea Smith	TITLE:	Petitions Examiner
SIGNATURE:	/Andrea Smith/	PHONE:	2-3226
OFFICE:	Office of Petitions		

****

THIS SPACE RESERVED FOR FINANCE USE ONLY:

APPROVED: _Clark_   DATE: _7/25/07_

Instructions for completion of this form appear on the back.   After completion, attach white and yellow copies to the official file and mail or hand-carry to:

**Office of Finance
Refund Branch
Crystal Park One, Room 802B**

FORM PTO 1577
(01/90)